

**ETHAN CONSTRUCTION LLC.**

**COPY**

Sent Certified and Regular Return Receipt # 7004 2890 0001 9496 7404

**Department Of Labor And Industries**  
**Assistant Director For DOSH**  
**Attn: Appeals Unit**  
**P.O. Box: 44604**  
**Olympia, WA 98504**  
**Fax: 360 902 5581**

November 6<sup>th</sup> 2006

**Re: Ethan Construction LLC, Inspection Number 310053236**

We have recently received the citation notice package.

We are pleased to note that all but two of the violations were already corrected and mentioned as such in the violation notice. We are further pleased that the only two violations that were still pending have been rectified. An *Employer Certification of Hazards Corrected* was handed personally to Mr. Robert Leo, L&I inspector upon his visit on site.

We would like to point out our active cooperation with L&I since the unfortunate event happened. All the potential open ends were addressed thoroughly. All action was taken to accommodate any recommendation given to us by L&I. I am sure Mr. Leo will be willing to confirm this.

The financial burden this citation represents is heavy.

We would kindly request your consideration in reducing the overall fine to a lower figure.

This will help us to overcome the financial stress we are experiencing as a result, and would help us in keeping the firm healthier and safer.

Many thanks

Yours sincerely

Eitan Alon  
COO

**RCLLC 0000568**

Y900

7004 2890 0001 9496 7404

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
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Total Postage & Fees	\$
Postmark Here	
Sent To <b>L&amp;I Asst. Director for DOSH</b>	
Street, Apt. No., or PO Box No. <b>PO Box 44604</b>	
City, State, ZIP+4 <b>Olympia, WA</b>	
PS Form 3800, June 2002 See Reverse for Instructions	

<b>SENDER: COMPLETE THIS SECTION</b>	<b>COMPLETE THIS SECTION ON DELIVERY</b>
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <b>x L &amp; I MAIL SERVICES</b> Agent Addressee</p> <p>B. Received by (Printed Name) <b>NOV 08 2006</b> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p><b>NOV 10 2006</b></p>
<p>1. Article Addressed to:</p> <p><b>WA State Dept. of L&amp;I</b> <b>Assistant Director for DOSH</b> <b>Attn: Appeals Unit</b> <b>P.O. Box 44604</b> <b>Olympia, WA 98504</b></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p><b>7004 2890 0001 9496 7404</b></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

RCLLC 0000569



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES

PO Box 44000 • Olympia, Washington 98504-4000

10/23/2006

ETHAN CONSTRUCTION LLC  
3100 Airport Way S  
Seattle, WA 98134

Inspection Number: 310053236

UBI: 602306468

CSHO ID: X5979

Region: 2

Program: H

Reference Number: 204374375

Dear Employer:

We have enclosed the results of our recent safety and health inspection of your workplace, located at the address on your enclosed citation.

This packet contains:

1. **Employer Instructions**
2. **Division of Occupational Safety and Health (DOSH) Citation Invoice**  
A summary of penalties.
3. **Citation and Notice of Assessment**  
A description of each violation, penalty and correction due date.
4. **Appeal Rights**
5. **Requesting an Extension**
6. **How to Report Your Corrections to L&I**
7. **Employer Certification of Hazards Corrected**  
You must complete and return this document after you have made your corrections.

(continued next page)

**Attention!**

To reduce the likelihood of a follow-up inspection to verify correction of hazards, you must complete and return the Employer Certification of Hazards Corrected page(s) at the end of this packet.

RCLLC 0000570



**Inspection Number: 310053236**

OSHA publishes DOSH citation information on the Internet at [www.osha.gov](http://www.osha.gov), since this information is available under provisions of the Federal Freedom of Information Act. It is posted 30 days after the date a citation is issued.

You are encouraged to carefully review the entire citation. If you have questions, call the compliance supervisor in your region at 206-515-2864.

Stephen M. Cant, CIH  
Assistant Director  
Division of Occupational Safety & Health

Enclosure(s)

**RCLLC 0000571**



Inspection Number: 310053236

OCT 24 2006

## Employer Instructions

**We have found hazards in your workplace that put your workers at risk.**

**What you must do now:**

**1. Post this notice in your workplace.**

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for three working\* days, whichever is longer (RCW 49.17.120).

**2. Correct the hazards**

You must make your corrections by the dates shown on the enclosed Citation and Notice of Assessment unless corrected at the time of the inspection or under appeal.

**3. Complete and return the enclosed Employer Certification of Hazards Corrected**

Do this when you have completed your corrections. A separate Employer Certification of Hazards Corrected is enclosed for each correction due date. We must receive this form within 10 calendar days of the correction due date. You must post a copy of the completed certification document for at least three working\* days after it is returned to the department.

**4. Pay the assessed penalties within 15 working\* days of the date you receive this citation.**

Interest of 1% per month will be charged on past due accounts per RCW 43.17.240. If the citation is appealed, interest will not accrue until a final order has been issued. Instructions for mailing your payment are on the enclosed invoice.

\* The term "working day" means a calendar day, except Saturdays, Sundays and all legal state holidays.  
(See working days in WAC 296-800-370.)

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# Division of Occupational Safety and Health Citation Invoice



Inspection Number: 310053236

Opening Conference Date: 06/08/2006

Closing Conference Date: 08/22/2006

Issuance Date: 10/23/2006

UBI: 602306468

Legal Name: ETHAN CONSTRUCTION LLC

Name of Business Inspected: ETHAN CONSTRUCTION LLC

Inspection Site: 1046 1st Ave S, Seattle, WA, 98134

## Summary of Assessed Penalties

(See attached documents for full description of each citation)

Violation 1, Item 1a.....	Type of Violation: Serious	\$1,800.00
Violation 1, Item 1b.....	Type of Violation: Serious	\$0.00
Violation 1, Item 2 .....	Type of Violation: Serious	\$400.00
Violation 1, Item 3a.....	Type of Violation: Serious	\$1,800.00
Violation 1, Item 3b.....	Type of Violation: Serious	\$0.00
Violation 1, Item 4a.....	Type of Violation: Serious	\$1,200.00
Violation 1, Item 4b.....	Type of Violation: Serious	\$0.00
Violation 1, Item 5 .....	Type of Violation: Serious	\$1,200.00
Violation 1, Item 6a.....	Type of Violation: Serious	\$1,200.00
Violation 1, Item 6b.....	Type of Violation: Serious	\$0.00
Violation 1, Item 7 .....	Type of Violation: Serious	\$400.00
Violation 1, Item 8a.....	Type of Violation: Serious	\$1,200.00
Violation 1, Item 8b.....	Type of Violation: Serious	\$0.00
Violation 1, Item 9a.....	Type of Violation: Serious	\$400.00
Violation 1, Item 9b.....	Type of Violation: Serious	\$0.00
Violation 1, Item 10 .....	Type of Violation: Serious	\$1,800.00
Violation 1, Item 11 .....	Type of Violation: Serious	\$200.00
Violation 1, Item 12 .....	Type of Violation: Serious	\$200.00
Violation 1, Item 13 .....	Type of Violation: Serious	\$200.00
Violation 2, Item 1 .....	Type of Violation: General	\$0.00
Violation 2, Item 2 .....	Type of Violation: General	\$0.00
Violation 2, Item 3 .....	Type of Violation: General	\$0.00
Violation 2, Item 4 .....	Type of Violation: General	\$0.00

Total assessed penalties.....	\$12,000.00
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## **PAYMENT INFORMATION**

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**Payment is due 15 working days from receipt of this citation.**

Make check payable to the Department of Labor and Industries.

Write the Inspection number on the check and mail in the self-addressed envelope enclosed:

**Attn: DOSH Cashier  
Department of Labor and Industries  
PO Box 44835  
Olympia, WA 98504-4835  
Or deliver to: Any L&I office**



## Citation and Notice of Assessment



**Inspection Number:** 310053236

**CSHO ID:** X5979

**Opening Conference Date:** 06/08/2006

**Closing Conference Date:** 08/22/2006

**Issuance Date:** 10/23/2006

**UBI:** 602306468

**Legal Name:** ETHAN CONSTRUCTION LLC

**Name of Business Inspected:** ETHAN CONSTRUCTION LLC

**Inspection Site:** 1046 1st Ave S, Seattle, WA, 98134

**Violation 1, Item 1a, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07709(3)(a)(ii)

In the absence of a negative exposure assessment the employer did not conduct initial asbestos air monitoring during the removal of Class 1 thermal system insulation.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$1,800.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 1b, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07709(3)(c)(i)

The employer did not conduct daily monitoring that is representative of the asbestos exposure of each employee who is assigned to work within a regulated area who is performing Class I work.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 2, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07709(3)(h)

The employer did not obtain clearance air-sampling results at the completion of the asbestos work and prior to removal of the regulated area.

This violation was corrected at the time of inspection.

Assessed penalty (See attached invoice): **\$400.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 3a, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07712(6)(b)(i)

The employer did not establish barriers to be placed over all the openings to the asbestos regulated area.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$1,800.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 3b, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07712(2)(c)

The asbestos containing thermal insulation coated pipes were not cut in a wet saturated state.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Assessed penalty (See attached invoice): **\$0.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 4a, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07715(1)(g)(i)

The employer did not require that employees removing thermal system insulation use 1/2 face air purifying respirators during exposure to asbestos.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$1,200.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 4b, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-155-17613(1)(d)

The employer had a work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level. The employer did not require appropriate respiratory protection as specified in WAC 296-155-17609(2)(e)(i) during periods when respirators are required to provide interim protection of employees while they perform the operations as specified in WAC 296-155-17609(2)(d)(iv).

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Assessed penalty (See attached invoice): **\$0.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number: 310053236**

**Violation 1, Item 5, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07715(2)(a)

The employer did not implement a respiratory protection program as required by chapter 296-842.

**You must correct this hazard by 11/25/2006.**

Assessed penalty (See attached invoice): **\$1,200.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 6a, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07719(3)(b)(i)

Employer did not provide an equipment room or area that is adjacent to the regulated area for the decontamination of employees and their equipment which is contaminated with asbestos when performing Class I asbestos removal.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$1,200.00**

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## Occupational Safety and Health | Citation Packet



Inspection Number: 310053236

### Violation 1, Item 6b, .....Type of Violation: Serious

Washington Administrative Code (WAC) violated: 296-155-17619(2)(a)

The employer had a torch cutting work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level. The employer did not provide clean change areas for employees as specified in WAC 296-155-17609(2)(e)(iii) during periods prior to determining actual employee exposure while they perform the operations as specified in WAC 296-155-17609(2)(d)(iv).

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



Inspection Number: 310053236

**Violation 1, Item 7, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07723(1)

The employer did not maintain the work area as free as free as practicable of accumulations of dusts and waste containing asbestos.

This violation was corrected at the time of inspection.

Assessed penalty (See attached invoice): \$400.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 8a, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-65-030(1)

The employer performed a Class I asbestos removal project without obtaining an asbestos contractor certificate.

This violation was corrected at the time of inspection.

Assessed penalty (See attached invoice): **\$1,200.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 8b, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07722(3)(a)

The employer performed a Class I asbestos removal project with employees that were not certified asbestos workers.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 9a, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07717(1)

In the absence of a negative exposure assessment for asbestos the employer did not provide full body protective clothing.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$400.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 9b, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-155-17615(1)(a)

The employer had a work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level. The employer did not provide appropriate personal protective clothing and equipment in accordance with WAC 296-155-17609(2)(e)(ii) during periods when personal protective clothing and equipment are required to provide interim protection of employees while they perform the operations as specified in WAC 296-155-17609(2)(d)(iv).

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 10, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-62-07715(4)(a)(ii)

The employer did not provide and require to be worn, at no cost to the employee, a full facepiece supplied-air respirator operated in the pressure demand mode to employees performing dry removal of asbestos.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$1,800.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number: 310053236**

**Violation 1, Item 11, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-155-17619(5)(a)

The employer had a torch cutting work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level. The employer did not provide hand washing facilities in accordance with WAC 296-155-17609(2)(e)(iv) prior to determining actual employee exposure while they perform the operations as specified in WAC 296-155-17609(2)(d)(iv).

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$200.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 1, Item 12, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-155-17621(1)(a)

The employer had a torch cutting work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level. The employer did not provide biological monitoring to employees while they perform the operations as specified in WAC 296-155-17609(2)(d)(iv) in accordance with WAC 296-155-17609(2)(e)(v), to consist of blood sampling and analysis for lead and zinc protoporphyrin levels.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$200.00**

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## Occupational Safety and Health | Citation Packet



**Inspection Number: 310053236**

### **Violation 1, Item 13, .....Type of Violation: Serious**

Washington Administrative Code (WAC) violated: 296-155-17625(1)(a)

The employer had a torch cutting work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level. The employer did not provide training as required by WAC 296-155-17609(2)(e)(vi) regarding WAC 296-800-170, Chemical hazard communication; training as required by WAC 296-155-17625 (2)(c), regarding use of respirators; and training in accordance with WAC 296-155-100 prior to determining actual employee exposure while they perform the operations as specified in WAC 296-155-17609(2)(d)(iv).

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): **\$200.00**

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## Occupational Safety and Health | Citation Packet



Inspection Number: 310053236

**Violation 2, Item 1, .....Type of Violation: General**

Washington Administrative Code (WAC) violated: 296-62-07709(3)(g)

No preabatement representative air monitoring was performed prior to the asbestos work in buildings 10, 11, 12 and 23 at 3100 Airport Way S, Seattle.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 2, Item 2, .....Type of Violation: General**

Washington Administrative Code (WAC) violated: 296-65-020(1)

The employer did not provide written notification to the Department of Labor and Industries prior to commencing an asbestos abatement project at 3100 Airport Way S, Seattle on about May 31, 2006.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 2, Item 3, .....Type of Violation: General**

Washington Administrative Code (WAC) violated: 296-155-17609(1)(a)

The employer had a torch cutting work operation covered by the lead-in-construction standard and did not initially determine if any employee may be exposed to lead at or above the action level.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty (See attached invoice): \$0.00

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## Occupational Safety and Health | Citation Packet



**Inspection Number:** 310053236

**Violation 2, Item 4, .....Type of Violation: General**

Washington Administrative Code (WAC) violated: 296-842-10505

The employer did not designate a respiratory protection program administrator.

**You must correct this hazard by 11/25/2006.**

Assessed penalty (See attached invoice): \$0.00

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Inspection Number: 310053236

## Your Right to Appeal

### For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. **You have 15 working days from the date you receive this citation to appeal.** Your appeal must be in writing. It may be mailed, faxed, or personally delivered.

**Your appeal must include:**

- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer's representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number on your citation.)
- Statement explaining:
  1. What you think is wrong with the citation and any related facts.
  2. How you think the citation should be changed.
  3. What relief you are seeking and why.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

**Posting requirement:**

You must post your appeal documents (along with this citation packet) until the appeal is resolved. You must also post all other documents related to this appeal.

### For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

**Your appeal must include:**

- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection Number
- Statement explaining why you think the correction due date should be changed.

**Send all appeals to:**

Assistant Director for DOSH  
Attn: Appeals Unit  
PO Box 44604  
Olympia, WA 98504-4604  
Fax to: 360-902-5581 or deliver to: Any L&I office

For more information call the appeals unit: 360-902-5486.

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Inspection Number: 310053236

## Requesting an Extension

### If you are unable to fix the hazard(s) by the correction date(s):

We must receive your request for an extension **before** the correction date(s) listed for the hazard(s). Correction dates are shown on the enclosed Citation and Notice of Assessment.

Extensions are not automatically granted. To be considered for an extension, you must:

1. Describe how you have made a good-faith effort to correct the hazards cited.
2. Describe what circumstances are beyond your control that prevent you from meeting the correction dates.

To request an extension, you must give us the following information:

1. The name of the employer applying for the extension
2. Address of the inspected workplace
3. Inspection number
4. Correction date on the citation
5. Steps you have taken so far to fix the hazard by the correction date
6. Factors that have prevented you from fixing the hazard on time
7. How much additional time you need
8. How you will protect your employees until you fix the hazard

- Send your extension request to:

**Regional Compliance Supervisor  
315 5th Ave. South Suite 200  
Seattle, WA 98104**

- Or call:  
**206-515-2864**





Inspection Number: 310053236

## How to Report Your Corrections to L&I

### What you must do now:

- Check the correction date(s) shown on the enclosed form, Employer Certification of Hazards Corrected. You must correct the hazards by these dates. (Separate certification forms are provided for each correction due date.)
- As you make your corrections, describe on the form how you corrected each instance of each hazard. (Use attachments if you need more space.)
- Write in the actual date you fully corrected the hazard.
- Send the completed form by the correction due date(s) to:

**Robert Leo**  
**Division of Occupational Safety and Health**  
**315 5th Ave S**  
**Seattle, WA 98104**  
**FAX: 206-515-2879**

- Post a copy of the completed Employer Certification of Hazards Corrected for at least three working days. It must be posted near where the violations occurred or in a location that is readily accessible by affected employees and their representatives.

**Your legal requirements:** If you do not return the completed, signed Employer Certification of Hazards Corrected, we will take follow-up action. If you fail to correct the violations listed in this citation, you may be subject to additional penalties. If you provide us with false information, you may face criminal penalties.

**Note:** If any of the violations in this citation are labeled “willful” or “repeat” look for the inspector’s additional instructions on the Citation and Notice of Assessment. You will be asked to provide specific documentation (such as photographs or repair invoices) that you corrected the hazard. You may be asked to provide additional documentation for certain high gravity serious violations.

### Attention!

To reduce the likelihood of a follow-up inspection to verify correction of hazards, you must complete and return the Employer Certification of Hazards Corrected page(s) at the end of this packet.



**Department of Labor & Industries  
DOSH Appeals  
P.O. Box 69050  
Seattle, WA 98168-1050**

## **FAX TRANSMISSION COVER SHEET**

**FROM : Mike Rogers, Regional Hearings Officer  
12806 Gateway Dr.  
PO Box 69050  
Seattle, WA 98168-1050  
Phone: (206) 835-1076  
Fax: (206) 835-1099**

**Date: 11-14-06**

**Total # of pages including cover sheet: 5**

**To: Ethan Construction**

**Receiver fax # : 206-447-0299**

**Receiver telephone # : 206-447-0263**

**Message : Please sign, date and fax back all requested documents and/or  
cover sheet to 206-835-1099. Thank you.**



**SAFETY AND HEALTH APPEALS**  
P.O. Box 44604 ♦ Olympia, WA 98504-4604  
(360) 902-5486

**NOTICE OF INFORMAL CONFERENCE  
CITATION & NOTICE NO. 310053236**

**Employer/Appellant:** ETHAN CONSTRUCTION LLC  
3100 Airport Way S  
Seattle, WA 98134

- I. On Monday, October 23, 2006 the Assistant Director for the Division of Industrial Safety and Health issued Citation & Notice No. 310053236. Pursuant to RCW 49.17.140 and WAC 296-900-17005, the Employer filed a Notice of Appeal with the Department of Labor & Industries regarding that Citation & Notice.
- II. Pursuant to RCW 49.17.140(3) and WAC 296-900-17005, **NOTICE IS HEREBY GIVEN** that the Department has reassumed jurisdiction over the subject matter of the appeal, and an informal conference regarding this appeal will be held at the time and place stated below. The employer, affected employees, and the representatives shall be afforded the opportunity to support or object to the Citation & Notice.

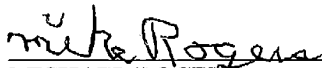
**THE INFORMAL CONFERENCE IS SCHEDULED FOR YOUR PERSONAL APPEARANCE ON:**

<b>Date:</b>	<b>TUESDAY, DECEMBER 5, 2006</b>
<b>Time:</b>	<b>9:00 AM</b>
<b>Location:</b>	<b>Tukwila Service Location, 12806 Gateway Drive, Tukwila, WA 98168-1050</b>

Failure to appear or notify the Regional Hearings Officer named below prior to the date and time of the informal conference may result in the Citation & Notice being affirmed.

- II. Documentation must be provided at the informal conference showing proof of correction of all violations not appealed or corrected at the time of inspection. The Department requests that you also bring any documents, records or other information that you believe are relevant to the issues of this appeal.
- VI. Subsequent to the conclusion of the time period allowed for the Department's jurisdiction over the appeal, the Department shall issue a Corrective Notice of Redetermination.

November 14, 2006  
Date Notice Issued

  
MICHAEL ROGERS  
Regional Hearings Officer  
(206) 835-1076

**NOTE: THE EMPLOYER SHALL IMMEDIATELY UPON RECEIPT OF THIS NOTICE POST IT EITHER WHERE THE ALLEGED VIOLATION(S) TOOK PLACE OR IN A CONSPICUOUS PLACE WHERE NOTICES TO EMPLOYEES ARE CUSTOMARILY POSTED PURSUANT TO WAC 296-900-17005.**

Copies to – DOSH Appeals Program  
Region 2 Data Compiler

**RCLLC 0000602**

**SAFETY & HEALTH APPEALS**

P.O. Box 44604 • Olympia, WA 98504-4604  
(360) 902-5486

**EXTENSION OF REASSUMPTION PROCESS  
CITATION & NOTICE NO. 310053236**

The Employer and the Department of Labor & Industries have agreed to enter into this Extension to allow additional time for completion of the reassumption process, which includes the informal conference, and consideration of the issues raised in the Employer's appeal of Citation & Notice No. 310053236.

Pursuant to RCW 49.17.140(3) and WAC 296-900-17005, the reassumption process may be extended up to 15 additional working days (beyond the statutory 30 working day time limit) when agreed upon by parties to the appeal and signed within the initial 30 working days.

The Corrective Notice of Redetermination shall be issued no later than 1-17-06.

**Signatures:**

EITAW Alen  
Employer (or Representative)

11.15.06  
Date

Mike Rogers  
Mike Rogers, Regional Hearings Officer

11-14-06  
Date

**NOTE: THE EMPLOYER SHALL IMMEDIATELY POST THIS EXTENSION WITH THE CITATION & NOTICE AND THE APPEAL TO WHICH THIS EXTENSION APPLIES. IT SHALL REMAIN POSTED UNTIL THE CORRECTIVE NOTICE OF REDETERMINATION IS ISSUED, PURSUANT TO WAC 296-900-17005.**

Fully Signed Original to: Safety & Health Appeals Program  
Copies to: Employer  
Region 2 Data Compiler  
Union

**RCLLC 0000603**



**SAFETY & HEALTH APPEALS**  
P.O. Box 44604 • Olympia, WA 98504-4604  
(360) 902-5486

**ACKNOWLEDGEMENT OF  
INFORMAL CONFERENCE NOTICE  
CITATION & NOTICE NO. 310053236**

**DEAR EMPLOYER or EMPLOYEE REPRESENTATIVE:**

We are required to verify receipt of the Notice of Informal Conference.

In the past, we have done this by certified mail. We are attempting to shorten our appeal process by using fax delivered Notices.

**Please sign and return this acknowledgement via fax to Mike Rogers at 206-835-1099 today if possible.** If you have any questions regarding this document, please contact: Mike Rogers directly at 206-835-1076.

**ACKNOWLEDGEMENT**

I received the Notice of Informal Conference in response to Employer's appeal of **Citation and Notice No. 310053236**. I have posted the Notice as required. A representative from our organization will attend the informal conference.

11.15.2006  
Today's Date

EITAN ALON  
Representative  
COO  
Title  
ETHAN CONSTRUCTION  
Organization

Fully Signed Original to: Safety & Health Appeals Program  
Copies to: Region 2 Data Compiler

**RCLLC 0000604**



### Dept. of Labor & Industries

12806 Gateway Drive

Tukwila, WA

98168-1050

206-835-1000

#### From the south

If driving north on I-5, take the Tukwila/West Marginal Way exit (just past SouthCenter, Exit #156).

Head north on SR 599. Take the Interurban exit, then turn left at the bottom of the exit. Turn left onto Interurban Ave. Turn right on Gateway drive. The office is the second building on the left.

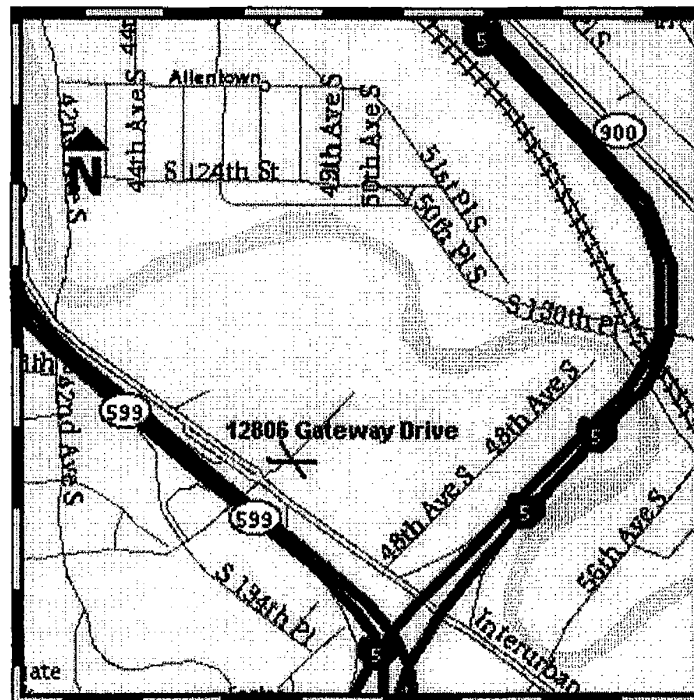
#### From the north

If driving south on I-5, take the Tukwila/Interurban Avenue Exit #156.

Turn right onto Interurban Avenue South. At the light, turn right onto Gateway Drive. The office is the second building on the left.

#### From the East

If driving West on I-405, take the Tukwila/West Valley Road Exit #1. Turn left onto Interurban Avenue South. Continue to Gateway Drive and turn right. The office is the second building on the left.



TRANSMISSION VERIFICATION REPORT

TIME : 11/15/2006 10:40  
NAME : ETHAN CONSTRUCTION L  
FAX : 206-447-0299  
TEL : 206-447-0263  
SER.# : BRDJ3J734467

DATE, TIME	11/15 10:39
FAX NO./NAME	2068351099
DURATION	00:00:45
PAGE(S)	03
RESULT	OK
MODE	STANDARD
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